

**United States District Court
for the Southern District of Georgia
Waycross Division**

UNITED STATES OF AMERICA,

v.

CR 514-005

CHARLES RILEY THRIFT,

Defendant.

ORDER

Before the Court is Charles Thrift's letter for clarification regarding sentence credit for custodial jail time. Dkt. No. 40. The Court construes Thrift's letter as a motion for his state custodial jail time to be credited to his federal sentence. For the reasons below, Thrift's motion is **DENIED**.

On July 23, 2013, Thrift was arrested by Brantley County authorities for possession of methamphetamines and possession of a firearm by a convicted felon. On November 21, 2013, he pleaded guilty to that conduct in state court and received a six-year custodial sentence. In March 2014, Thrift was indicted in this Court for related conduct, i.e. conspiracy to possess with intent to distribute methamphetamine. In July 2014, Thrift pleaded guilty to the conspiracy charge, and on February 6, 2015, the Court sentenced him to 112 months' imprisonment, to be served concurrently with his state imprisonment term. According

to Bureau of Prisons' ("BOP") records, Thrift's federal imprisonment term began the day of his federal sentencing.


Thrift's advisory guideline range was 151 to 188 months' imprisonment. Thrift's 112-month sentence represented a downward departure pursuant to U.S.S.G. § 5K1.1 and an eighteen-month downward adjustment to account for the approximately eighteen months Thrift had been in custody since his arrest on July 23, 2013.¹

In his letter, Thrift notes that he completed his state term on November 8, 2015, but that he remained in state custody until January 7, 2016. As such, he believes he is not being credited for that two-month period. Thrift's belief, though understandable, is off-base. While Thrift's official commitment date with the BOP was indeed January 7, 2016, his federal sentence actually began on February 6, 2015, the date of his sentencing in this Court, at which time the Court ordered his federal sentence run concurrently with his state sentence. According to the BOP website, Thrift's projected release date is January 19, 2023, approximately ninety-six months after his sentencing date.

¹ The BOP would not otherwise credit Thrift's federal sentence with that period of time, because it had already been credited to his state sentence. See 18 U.S.C. § 3585(b).

There is no indication that the BOP has failed to credit Thrift with any period of custody. As such, his motion, dkt. no. 40, is **DENIED**.

SO ORDERED, this 29th day of May, 2020.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA